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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF IOWA

IN RE: Chapter 11

MERCY HOSPITAL, IOWA CITY, IOWA, Case No. 23-00623

et al.,

(Jointly Administered)

Debtors.

MOTION TO LIMIT NOTICE OF
MOTION OF ALTERA DIGITAL HEALTH INC.
TO COMPEL ASSUMPTION OR
REJECTION OF EXECUTORY CONTRACT;
TO ESTABLISH A BAR DATE FOR FILING OF OBJECTIONS;
SETTING HEARING ON THE MOTION AND ANY OBJECTIONS

Altera Digital Health Inc. ("<u>Altera</u>"), by and through its undersigned counsel, hereby files this motion to limit notice of the *Motion of Altera Digital Health Inc. to Compel Assumption or Rejection of Executory Contract* (the "<u>Assumption/Rejection Motion</u>"), to establish a bar date for filing of objections, and to set a hearing thereon, and in support thereof states:

- 1. Altera filed its Assumption/Rejection Motion on December 20, 2023.
- 2. Altera requests that notice of the Assumption/Rejection Motion be limited to the Master Service List maintained by Epiq Corporate Restructuring, LLC employed by the Debtors as the Claims and Noticing Agent. The list includes the 30 largest creditors, the Rule 2002 list, and other parties, and presently consists of 103 parties. A copy of the list is attached.
- 3. Altera requests that the Court establish a deadline for the filing of objections to the Assumption/Rejection Motion.
- 4. Altera requests that the Court set a hearing on the Assumption/Rejection Motion.

WHEREFORE, Altera respectfully requests the Court enter an order limiting notice of Assumption/Rejection Motion, establishing a bar date for filing objections, and setting a hearing thereon, and grant such other and further relief as is just and equitable.

Dated: December 22, 2023.

/s/ Larry S. Eide Larry S. Eide (AT0002317) PAPPAJOHN, SHRIVER, EIDE & NIELSEN P.C. 103 E. State Street, Suite 800 PO Box 1588 Mason City, IA 50402-1588 Tel: (641) 423-4264

Fax: (641) 423-4264

Email: eide@pappajohnlaw.com

-and-

LOEB & LOEB LLP Schuyler G. Carroll (admitted *pro hac vice*) 345 Park Avenue New York, NY 10154 Tel: (212) 407-4000

Fax: (212) 407-4000 Fax: (212) 202-5431 scarroll@loeb.com

Counsel to Altera Digital Health Inc.

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AAA MECHANICAL CONTRACTORS, INC. 2755 STONER COURT ATTN: JAY HALL NORTH LIBERTY, IA 52317 AEGIS LAW (COUNSEL TO EVERBANK N.A F/K/A TIAA, FSB) ATTN: ERIC J. LANGSTON 601 S. LINDBERGH BLVD FRONTENAC, MO 63131

ALLSCRIPTS HEALTHCARE LLC 305 CHURCH AT NORTH HILLS STREET ATTN: DOUGLAS GENTILE CHIEF MEDICAL OFFICER RALEIGH, NC 27609 ALTERA DIGITAL HEALTH INC ATTN: KRISTIN STEINKAMP, CORPORATE COUNSEL 222 W MERCHANDISE MART PLAZA 2024 CHICAGO, IL 60654

ARENTFOX SCHIFF LLP (COUNSEL TO MEDIREVV, LLC) ATTN: NICHOLAS A MARTEN, BETH M. BROWNSTEIN ESQS 1301 AVENUE OF THE AMERICAS NEW YORK, NY 10019 ARENTFOX SCHIFF LLP (COUNSEL TO MEDIREVV, INC.) ATTN: MATTHEW F. PREWITT 233 SOUTH WACKER DRIVE, SUITE 7100 CHICAGO, IL 60606

ASSISTANT ATTORNEY GENERAL (COUNSEL FOR STATE UNIVERSITY OF IOWA) ATTN JOHN T.M. WHITEMAN HOOVER STATE OFFICE BUILDING SECOND FLOOR 1305 E WALNUT ST DES MOINES, IA 50319 ATTORNEY GENERAL OF IOWA
(COUNSEL FOR STATE UNIVERSITY OF IOWA)
ATTN: LINDSEY L. BROWNING
ASSISTANT ATTORNEY GENERAL
HOOVER STATE OFFICE BUILDING
1305 E. WALNUT STREET, 2ND FLOOR
DES MOINES, IA 50319

BARTON ASSOCIATES INC. 300 JUBILEE DRIVE PEABODY, MA 01960 BECKER LLC (COUNSEL FOR ALLIED RESOURCES MEDICAL STAFFING) ATTN: ERIC R PERKINS ESP 354 EISENHOWER PARKWAY PLAZA II, SUITE 1500 LIVINGSTON, NJ 07039

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BIOMERIEUX INC.
ONE BOSTON PLACE
201 WASHINGTON ST, STE 4030
ATTN: CHECK MATE, BRIAN ARMSTRONG
BOSTON, MA 02108

BLUESKY 5600 S QUEBEC ST ATTN: TIM TEAGUE, CEO AND PRESIDENT GREENWOOD VILLAGE, CO 80111

BRADLEY & RILEY PC (COUNSEL FOR REVOLOGY, INC.) ATTN: LAURA M. HYER PO BOX 2804 CEDAR RAPIDS, IA 52406-2804 BRADSHAW, FOWLER, PROCTOR & FAIRGRAVE P.C (COUNSEL FOR WELLMARK BLUE CROSS AND BLUE SHIELD) ATTN: JEFFREY D GOETZ ESQ 801 GRAND AVENUE, STE 3700 DES MOINES, IA 30309

BRICK GENTRY, P.C. ATTN: THOMAS L. FLYNN, NICHOLAS F. MILLER 6701 WESTOWN PARKWAY, SUITE 100 WEST DES MOINES, IA 50266 BROWN, WINICK, GRAVES, GROSS AND BASKERVILLE PLC (COUNSEL FOR RMS HOLDINGS PC AND RADIOLOGICAL SERVICES PC) ATTN MIRANDA L HUGHES, JENIFFER E LINDBERG 666 GRAND AVENUE, SUITE 2000 DES MOINES, IA 50309-2510

BROWN, WINICK, GRAVES, GROSS AND BASKERVILLE PLC (COUNSEL FOR RSM HOLDINGS P.C. AND RADIOLOGIC MEDICAL SERVICES P.C.)
ATTN SAMANTHA C NORRIS
1101 5TH STREET, STE 203
CORALVILLE, IA 52241

BUCHALTER (COUNSEL FOR MCKESSON CORPORATION) ATTN: JEFFREY K GARFINKLE ESQ 18400 VON KARMAN AVE SUITE 800 IRVINE, CA 92612

BUCHALTER (COUNSEL FOR MCKESSON CORPORATION) ATTN: JOSEPH A SAKAY ESQ 1420 5TH AVENUE SUITE 3100 SEATTLE, WA 98101-2649 CARDINAL HEALTH ATTN: TYRONZA WALTON, CREDIT MANAGER 7000 CARDINAL PL DUBLIN, OH 43017

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CENTERS FOR MEDICARE AND MEDICAID SERVICES 7500 SECURITY BOULEVARD BALTIMORE, MD 21244 CENTERS FOR MEDICARE AND MEDICAID SERVICES RICHARD BOLLING FEDERAL BUILDING 601 EAST 12TH STREET, ROOM 355 KANSAS CITY, MO 64106-2808

CLINE WILLIAMS WRIGHT JOHNSON & OLDFATHER LLP (COUNSEL FOR CROSSMED HEALTHCARE STAFFING SOLUTIONS INC) 12910 PIERCE ST, SUITE 200 OMAHA, NE 68124 CUTLER LAW FIRM, P.C. (COUNSEL TO OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF MERCY HOSPITAL IOWA CITY IOWA ET AL) ATTN: ROBERT C. GAINER 1307 50TH STREET WEST DES MOINES, IA 50266

DAY RETTIG MARTIN, P.C.
(ATTORNEY FOR EBINGER, ET AL. & MERCY PENSIONERS AD HOC COMMITTEE)
ATTN: PAULA L. ROBY
PO BOX 2877
CEDAR RAPIDS, IA 52406-2877

DEPUY SYNTHES JOINT RECON INC 1302 WRIGHTS LANE EAST WEST CHESTER, PA 19380

DICKINSON, MACKAMAN, TYLER & HAGEN, P.C. (COUNSEL FOR HAYES LOCUMS, LLC AND MEDIREVV, LLC AND KRONOS INCORPORATED AND UKG INC) ATTN: BRADLEY R. KRUSE 699 WALNUT STREET, SUITE 1600 DES MOINES, IA 50309 DILLON LAW PC (COUNSEL TO HEALTH CAROUSEL LOCUM NETWORKING LLC AND HEALTH CROUSEL LLC) ATTN: PATRICK B. DILLON 209 E 1ST STREET SUMNER, IA 50674

FAEGRE DRINKER BIDDLE & REATH LLP (COUNSEL TO JOHNSON COUNTY SURGEON INVESTORS LLC AND IOWA CITY AMBULATORY SURGICAL CENTER LLC) ATTN: JESSE LINEBAUGH 801 GRAND AVENUE, 33RD FLOOR DES MOINES, IA 50309-8003 FAEGRE DRINKER BIDDLE & REATH LLP (COUNSEL TO JOHNSON COUNTY SURGEON INVESTORS LLC AND IOWA CITY AMBULATORY SURGICAL CENTER LLC) ATTN: MICHAEL T GUSTAFSON 320 S CANAL ST, STE 3300 CHICAGO, IL 60606

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FEDERAL TRADE COMMISSION 600 PENNSYLVANIA AVENUE, NW WASHINGTON, DC 20580 GALLAGHER BENEFIT SERVICES, INC. 2850 GOLF ROAD ATTN: JACKIE MORROW ROLLING MEADOWS, IL 60008

GISLASON & HUNTER LLP (COUNSEL TO THE HUNTINGTON NATIONAL BANK) ATTN: MICHAEL S DOVE 2700 SOUTH BROADWAY PO BOX 458 NEW ULM, MN 56073-0458 HAYES LOCUMS 6700 NORTH ANDREWS AVE SUITE 600 ATTN: JOHN HAYES FORT LAUDERDALE, FL 33309

HEALOGICS WOUND CARE HYPERBARIC SERVICES, LLC 5220 BELFORT RD - 130 ATTN: FRANK WILLIAMS, JULIE ADAM JACKSONVILLE, FL 32256 HEIDMAN LAW FIRM, PLLC (COUNSEL TO UNITEDHEALTH GROUP) ATTN: JESSICA A BOARD 1128 HISTORIC FOURTH STREET PO BOX 3086 SIOUX CITY, IA 51102

HIRSCHLER FLEISCHER, P.C. (COUNSEL FOR OWENS & MINOR INC.) ATTN: ROBERT S WESTERMANN/BRITTANY B FALABELLA THE EDGEWORTH BUILDING 2100 EAST CARY STREET RICHMOND, VA 23223

HUNTINGTON TECHNOLOGY FINANCE 2285 FRANKLIN RD. ATTN: MARY HURT BLOOMFIELD HILLS, MI 48302

HUSCH BLACKWELL LLP (COUNSEL TO MEDICO-MART, INC., LIQUIDAGENTS HEALTHCARE, LLC AND STAFFDNA, LLC) ATTN: MICHAEL A BRANDESS 120 SOUTH RIVERSIDE PLAZA, SUITE 2200 CHICAGO, IL 60606 IDEACOM 30 W WATER STREET ATTN: JOHN ANDERSON-PRESIDENT ST PAUL, MN 55107

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INTERNAL REVENUE SERVICE 3205 WILLIAMS BLVD. S.W. CEDAR RAPIDS, IA 52404 INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY OPERATION P.O. BOX 7346 PHILADELPHIA, PA 19101-7346

INTERNAL REVENUE SERVICE DEPARTMENT OF THE TREASURY 1500 PENNSYLVANIA AVENUE, N.W. WASHINGTON, DC 20220 INTUITIVE SURGICAL INC 950 KIFER ROAD ATTN: GARY S. GUTHART, PH.D SUNNYVALE, CA 94086

IOWA DEPARTMENT OF REVENUE 1305 E WALNUT ST DES MOINES, IA 50319 IOWA DEPT OF HEALTH AND HUMAN SERVICES BUREAU OF COLLECTIONS ATTN BANKRUPTCY 400 SW 8TH, STE H DES MOINES, IA 50309-4633

IOWA HEART CENTER 5880 UNIVERSITY AVENUE ATTN: ROB GAVORA DIVISION VP,CHIEF ADMIN OFFICER WEST DES MOINES, IA 50266 IOWA HOSPITAL ASSOCIATION 100 EAST GRAND ATTN: CHRIS MITCHELL, RANDALL RUBIN DES MOINES, IA 50309

J&K PMS INC 6737 BRENTWOOD STAIR RD - STE 200 ATTN: WARREN KATZ, PRESIDENT FORT WORTH, TX 76112 J&K PMS INC ATTN: KELLY MITCHEK, VICE PRESIDENT 6737 BRENTWOOD STAIR ROAD, STE 220 FORT WORTH, TX 76112

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JOHNSON & JOHNSON HEALTH CARE SYSTEMS INC. 4500 RIVERSIDE DRIVE ATTN: JOAQUIN DUATO, EVAN BEREZ PALM BEACH GARDENS, FL 33410 JOHNSTON, STANNARD, KLESNER, BURBIDGE & FITZGERALD, P.L.C. (COUNSEL TO TRAVEL NURSE ACROSS AMERICA, DAWNA MILLER AND JUDY ANDRONOWITZ ATTN: STEVEN G. KLESNER 373 SCOTT COURT, SUITE B PO BOX 3400 IOWA CITY, IA 52244

LOEB & LOEB LLP (COUNSEL TO ALTER DIGITAL HEALTH INC.) ATTN: SCHUYLER G. CARROLL 345 PARK AVENUE NEW YORK, NY 10154 MARKS LAW FIRM P.C.
(ATTORNEY FOR PENSION PLAN MEMBER BRENT STRABALA,
J. NICHOLAS RUSSO, NANCY RUSSO AND MIKE GARRELS)
ATTN: SAMUEL Z. MARKS
4225 UNIVERSITY AVENUE
DES MOINES, IA 50311

MCDERMOTT WILL & EMERY LLP ATTN: FELICIA GERBER PERLMAN, DANIEL M. SIMON AND EMILY C. KEIL 444 WEST LAKE STREET SUITE 4000 CHICAGO, IL 60606

MCDERMOTT WILL & EMERY LLP ATTN: JACK G. HAAKE 2501 NORTH HARWOOD STREET SUITE 1900 DALLAS, TX 75201

MCDERMOTT WILL & EMERY LLP ATTN: DANIEL M. SIMON 1180 PEACHTREE STREET NE SUITE 3350 ATLANTA, GA 30309 MEDEFIS CONSOLIDATED 2121 N 117TH AVE - STE 200 ERIC CHRISTENSON OMAHA, NE 68164

MEDICAL RECORD ASSOCIATES LLC 103 CENTRAL ST - STE A ATTN: CHARLIE SAPONARO, CEO WELLESLEY, MA 02482 MEDICO-MART INC 2323 CORPORATE DRIVE ATTN: GERALD WALSH, TEDDY WALSH WAUKESHA, WI 53189

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MEDIFIS ATTN: JACKIE DUMBROWSKI, CORPORATE COUNSEL 2999 OLYMPUS BLVD DALLAS, TX 75019 MEDIREVV, INC. ATTN: LAUREN NEWMAN 2651 CROSSPARK ROAD, LEVEL 2 CORALVILLE, IA 52241

MEDIREVV, LLC 2600 UNIVERSITY PARKWAY ATTN: LINCOLN POPP, CEO CORALVILLE, IA 52241 MEDTRONIC USA 8200 CORAL SEA STREET NE KIMBERLY CALDERON, MICHAEL B. KEELEY MOUNDS VIEW, MN 55112

MIDAMERICAN ENERGY SERVICES, LLC 666 GRAND AVE ATTN: GENERAL COUNSEL DES MOINES, IA 50309 MINTZ, LEVIN, COHN, FERRIS GLOVSKY AND POPEO PC (COUNSEL FOR COMPUTERSHARE TRUST COMPANY N.A AND PRESTON HOLLOW COMMUNITY CAPITAL INC.) ATTN MEGAN PREUSKER 919 THIRD AVENUE NEW YORK, NY 10022

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO P.C. (COUNSEL TO COMPUTERSHARE TRUST COMPANY N.A. AND PRESTON HOLLOW COMMUNITY CAPITAL INC)
ATTN: KAITLIN R WALSH, NATHAN F COCO
919 THIRD AVENUE
NEW YORK, NY 10022

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C.
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ATTN: WILLIAM KANNEL, NATHAN F. COCO
ONE FINANCIAL CENTER
BOSTON, MA 02111

NYEMASTER GOODE P.C. (COUNSEL TO MERCY HOSPITAL, IOWA CITY, IOWA) ATTN: MATTHEW A. MCGUIRE, DANA W HEMPY 700 WALNUT ST, STE 1600 DES MOINES, IA 50309 NYEMASTER GOODE, P.C. ATTN: ROY LEAF 625 FIRST STREET SE SUITE 400 CEDAR RAPIDS, IA 52401-2030

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NYEMASTER GOODE, P.C. (COUNSEL TO MERCY HOSPITAL, IOWA CITY, IOWA) ATTN: KRISTINA M. STANGER 700 WALNUT, STE 1600 DES MOINES, IA 50309 OFFICE OF THE ATTORNEY GENERAL OF IOWA ATTN: BRENNA BIRD HOOVER BUILDING 1305 E WALNUT ST DES MOINES, IA 50319

OFFICE OF THE UNITED STATES TRUSTEE ATTN: CLAIRE R. DAVIDSON TRIAL ATTORNEY 210 WALNUT STREET, ROOM 793 DES MOINES, IA 50309 OFFICE OF THE US TRUSTEE NORTHERN DISTRICT OF IOWA ATTN: JANET G.L. REASONER 111 SEVENTH AVENUE SE, SUITE 2800 CEDAR RAPIDS, IA 52401-2101

OLYMPUS AMERICA INC. 3500 CORPORATE PARKWAY PO BOX 610 ATTN: STEFAN KAUFMANN, JEREMY PITZ CENTER VALLEY, PA 18034-0610 OWENS & MINOR, ATTN: JERRY HUNT- CREDIT MANAGER 9120 LOCKWOOD BLVD MECHANICSVILLE, VA 23116-2015

OWENS AND MINOR INC 9120 LOCKWOOD BLVD ATTN: EDWARD A. PESICKA MECHANICSVILLE, VA 23116 PAPPAJOHN, SHRIVER, EIDE & NIELSEN P.C. (COUNSEL TO ALTERA DIGITAL HEALTH INC SUCCESSOR TO ALLSCRIPTS HEALTHCARE, LLC) ATTN: LARRY S. EIDE 103 EAST STATE STREET, SUITE 800 PO BOX 1588 MASON CITY, IA 50402-1588

PATTERSON COMPANIES INC (COUNSEL FOR PATTERSON DENTAL SUPPLY INC) ATTN CHRISTOPHER CAMARDELLO 1031 MENDOTA HEIGHTS RD ST PAUL, MN 55120 PENSIONER COMMITTEE UST APPOINTED ATTN: MARY MCMURRAY 47 LAKEVIEW PLANCE NE IOWA CITY, IA 52240

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PENSIONER COMMITTEE UST APPOINTED ATTN: MARY MCCARTHY 1200 23RD AVE, UNIT 2 CORALVILLE, IA 52241 PENSIONER COMMITTEE UST APPOINTED ATTN: CAROL EBINGER 39 CHANDLER PLACE IOWA, IA 52245

PENSIONER COMMITTEE UST APPOINTED ATTN: JONI WERLE 2225 SUGAR BOTTOM RD NE SOLON, IA 52333 PENSIONER COMMITTEE UST APPOINTED ATTN: JODINE GUNN 2218 E GRANTVIEW DRIVE CORALVILLE, IA 52241

PENSIONER COMMITTEE UST APPOINTED ATTN: JEANE BERGE 1107 WYLDE GREEN RD IOWA CITY, IA 52246 PENSIONER COMMITTEE UST APPOINTED ATTN: JEANNE HEIN 1386 PLEASANTVIEW DRIVE TIPTON, IA 52772

PIVOT HEALTH LAW, LLC ATTN: SUSAN N GOODMAN PATIENT CARE OMBUDSMAN P.O. BOX 69734 ORO VALLEY, AZ 85737 PROGRESSIVE REHABILITATION 1130 SCOTT BLVD SUITE 1 ATTN: GENERAL COUNSEL IOWA CITY, IA 52240

QUEST DIAGNOSTICS 500 PLAZA DRIVE ATTN: JAMES E. DAVIS, CEO SEACAUCUS, NJ 07094 RAINES FELDMAN LITTRELL LLP (COUNSEL TO NANCY RUSSO AND J. NICHOLAS RUSSO) (COUNSEL TO BRENT STRABALA AND MARGARET HALVERSON) ATTN: MARK S. MELICKIAN 30 N. LASALLE ST., STE 3100 CHICAGO, IL 60602

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REVOLOGY 201 E WASHINGTON ST - UNIT 1302 ATTN: DAN KRZMARZICK IOWA CITY, IA 52245 SHUTTLEWORTH & INGERSOLL, P.L.C.
(COUNSEL TO PROGRESSIVE REHABILITATION ASSOCIATES LLC)
ATTN: BENJAMIN G. NIELSON
115 3RD STREET SE, STE 500
PO BOX 2107
CEDAR RAPIDS, IA 52401-2107

SHUTTLEWORTH & INGERSOLL, PLC (COUNSEL FOR WASHINGTON COUNTY HOSPITAL AND CLINICS)
ATTN: WESLEY B. HUISINGA, BENJAMIN G NIELSON AND DAN CHILDERS
PO BOX 2107
CEDAR RAPIDS, IA 52401-2107

SILLS CUMMIS & GROSS P.C (COUNSEL TO COMMITTEE OF UNSECURED CREDITORS) ATTN: ANDREW H SHERMAN AND BORIS I MANKOVETSKIY THE LEGAL CENTER ONE RIVERFRONT PLAZA NEWARL, NJ 07102

SMITH AND NEPHEW INC. 7135 GOODLETT FARMS PARKWAY ATTN: ADRIANA DAVIES, VICE PRESIDENT CORDOVA, TN 38016 SPENCER FANE LLP (COUNSEL TO HEALOGICS WOUND CARE & HYPERBARIC SERVICES, LLC) ATTN ELIZABETH M. LALLY, TARA E. HOLTERHAUS 13815 FNB PARKWAY, STE 200 OMAHA, NE 68154

STEINDLER ORTHOPEDIC CLINIC ATTN: EDWARD PATRICK MAGALLANES, PRESIDENT AND CEO 2751 NORTHGATE DRIVE IOWA CITY, IA 52245 UNITED STATES ATTORNEY NORTHERN DISTRICT OF IOWA TIMOTHY T. DUAX 111 7TH AVE, SE CEDAR RAPIDS, IA 52401

WANDRO & ASSOCIATES, P.C.
(COUNSEL FOR STEINDLER ORTHOPEDIC CLINIC, PLC AND STEINDLER NORTH LIBERTY AMBULATORY SURGERY CENTER, COIMMUNICATIONS ENGINEERING COMPANY)
ATTN: TERRY L. GIBSON
2015 GRAND AVENUE, SUTIE 102
DES MOINES, IA 50312

WHITFIELD & EDDY LAW
(COUNSEL FOR COMPUTERSHARE TRUST COMPANY, N.A AS
TRUSTEE AND HOLLOW COMMUNITY CAPITAL, INC. AS
BONDHOLDER REPRESENTATIVE)
ATTN: PETER J. CHALIK
699 WALNUT STREET, SUTIE 2000
DES MOINES, IA 50309

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WISCONSIN PHYSICIANS SERVICE INSURANCE CORP 1717 W. BROADWAY PO BOX 1787 MADISON, WI 53701-1787 WRIGHT MEDICAL TECHNOLOGY INC. 1023 CHERRY ROAD ATTN: ROBERT PALMISANO MEMPHIS, TN 38117

ZIMMER US INC 345 EAST MAIN STREET ATTN: SEAN O'HARA WARSAW, IN 46580